



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, April 5, 2005, 8:00 p.m.**

MEETING

The Meeting of the City Council was called to order by Mayor Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member Henson.

ROLL CALL

Present: COUNCIL MEMBERS Jimenez, Quirk, Halliday, Ward, Dowling, Henson
MAYOR Cooper
Absent: COUNCIL MEMBERS None

PRESENTATION: Business Recognition Award

The April 2005 Business Recognition Award was presented to Bud Allan, owner of Hayward Chevrolet. Hayward Chevrolet is located at 25715 Mission Boulevard. It was purchased by Bud Allan in 1987. Hayward Chevrolet is a privately held corporation, owned by Mr. and Mrs. Allan. Sales have increased six-fold since opening in 1987. With 60 employees, Hayward Chevrolet sells an average of approximately 3,000 new and used cars per year and consistently ranks in the top ten sales tax producers for the City of Hayward. Hayward Chevrolet also contributes to the Hayward community through Mr. Allan's 16-year involvement with the Hayward Rotary and his participation in Adopt-A-Highway.

The Business Recognition Award was awarded to Hayward Chevrolet for their contribution to the City's fiscal health, their commitment to stay in Hayward, and professional excellence. Mr. and Mrs. Bud Allan, Hayward Chevrolet owners, accepted the award and thanked Council for this honor.

PUBLIC COMMENTS

Bill Maxedon spoke on the importance of having a quality daily newspaper. He commented on the contents of the first section of the current daily newspaper and the amount of advertisement compared to news.

Donald Wiggam reiterated his concerns on the flyovers impacting his neighborhood that make landings at Oakland Airport. He noted that lack of a staff representative to the South Field advisory committee yet includes staff representatives from neighboring cities and agencies. He suggested that the City request the Port of Oakland to move its flight patterns from directly over his neighborhood.

Suzanne Cox showed photos of gang related tagging that occurred over the weekend and reported that the Toyota service center was again broken into on O'Neill Street. She enumerated a variety of nuisances on her street including breaking and entering, auto theft, poor lighting, graffiti and homelessness.

Linda Mandolini, representing Eden Housing, thanked the Council and a number of staff for their efforts towards the Sara Conner Court project.

CONSENT

Consent Items 1 and 5 were removed for separate vote.

1. Approval of the Minutes of the City Council Meeting of March 22, 2005.

Council Member Jimenez asked that the comments offered by Mr. Ochoa, representing the Lions Club, be revised to include that he was a past recipient of the Citizen of the Year Award.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to approve the minutes of the City Council Meeting of March 22, 2005.

2. New Sidewalk Construction 2003/04 – Portions of Soto Road, Orchard Avenue, Fifth Street, and “E” Street: Approval of Plans and Specifications and Call for Bids

Staff report submitted by Deputy Director of Public Works Bauman, dated April 5, 2005, was filed.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Resolution 05-026, “Resolution Approving Plans and Specifications for the New Sidewalk Construction 2003/04 – Portions of Soto Road, Orchard Avenue, Fifth Street, and “E” Street Projects, Project Nos. 5170 and 5189, and Call for Bids”

3. Public Improvements in Cannery Area - Approval of Plans and Specifications and Call for Bids

Staff report submitted by Deputy Director of Public Works Bauman, dated April 5, 2005, was filed.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Resolution 05-027, “Resolution Approving Plans and Specifications for Public Improvements in the Cannery Area Project, Project No. 5099”

4. Soto Road Bicycle Lane Improvements – Greenway to Harder Road: Approval of Plans and Specifications and Call for Bids

Staff report submitted by Deputy Director of Public Works Bauman, dated April 5, 2005, was filed.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, April 5, 2005, 8:00 p.m.**

Resolution 05-028, "Resolution Approving the Negative Declaration and the Plans and Specifications for the Soto Road Bicycle Lane Improvements – Greenway to Harder Road, Project No. 5171, and Call for Bids"

5. Final Map Tract 7435 – Approval of Final Map, Authorize the City Manager to Execute a Subdivision Agreement (Hayward Commons, LLC, Subdivider)

Staff report submitted by Development Review Engineer Gaber, dated April 5, 2005, was filed.

In response to Council Member Halliday's question, City Manager Armas noted that this action finalizes and validates the tentative map that was previously presented and approved by the City Council at a public hearing.

It was moved by Council Member Henson, seconded by Council Member Dowling, and carried unanimously, to adopt the following:

Resolution 05-029, "Resolution Approving Final Map for Tract 7435 and Authorizing the City Manager and Execute a Subdivision Agreement"

HEARING

6. TEFRA: Authorization to Issue Bonds for the Purchase and Rehabilitation of the Lord Tennyson Apartments, 2191 West Tennyson Road

Staff report submitted by Issuer's Representative Ann Bauman, dated April 5, 2005, was filed.

Issuer's Representative Bauman made the staff presentation reiterating the informative agenda report.

Council Member Henson expressed his concerns that the Volunteers of America is not eligible to offer the Section 8 Vouchers according to HUD because it is a non-profit. He commented on the rent schedule and the home ownership opportunities. He asked if there is a cap on the rental increases and expressed his concern with the potential rent increases with flat salaries.

Issuer's Representative Bauman emphasized that this is the best that can be done for rentals. She described a variety of improvements that will occur such as new kitchens and bathrooms, re-landscaping, new appliances, separate utility meters, replacement flooring and floor coverings, structural replacements and new roofs.

Council Member Jimenez commended Ms. Bauman for her expertise on this subject.

Council Member Halliday asked for an explanation on the Section 8 vouchers that are now limited to for-profit agencies. She also asked about the rent increases that will be spread over a six year period.

Issuer's Representative Bauman was not sure why, but speculated that with aging properties, non-profits are now needing the subsidies that previously were not. It was noted that the previous national administration did provide vouchers to non-profit agencies. Currently there is a movement in Congress to change this.

Council Member Quirk noted that the City has a real dedication for affordable housing and commended staff for its effort. He asked where the tenants would stay during the remodeling and rehab. It was noted that there would be sufficient vacant apartments to relocate within the development.

Issuer's Representative Bauman clarified that new tenants will be at 60% of area median income or below and that 30% of the tenant households will be controlled for people whose incomes are at or below 50% of area median income. Seventy percent of the units will be available for those whose income is 60%. Current rents will be frozen until July 1, 2006, for all households at or below 60% of the area median income.

Mayor Cooper opened and closed the public hearing at 8:50 p.m.

Council Member Halliday commended those agencies and staff who work diligently to provide affordable housing in this community.

It was moved by Council Member Jimenez, seconded by Council Member Halliday, and carried unanimously, to adopt the following:

Resolution 04-030, "Resolution of the City of Hayward Authorizing the Issuance, Sale and Delivery of the City of Hayward Multifamily Housing Revenue Bonds (Lord Tennyson Apartments) 2005 Series A and 2005 Series A-T, Authorizing the Execution and Delivery of a Trust Indenture, a Financing Agreement, a Regulatory Agreement, an Intercreditor Agreement, an Official Statement, and a Purchase Contract, and Authorizing the Execution and Delivery of and Approving other Related Documents and Approving other Related Actions in Connection Therewith"

COUNCIL REPORTS

There were no Council reports.

ADJOURNMENT

Mayor Cooper adjourned the meeting at 8:54 p.m., in honor of Sergeant William Howard Kelly. Bill was appointed as a Police Officer for the City of Hayward on January, 1999. He was promoted to

DRAFT



**MINUTES OF THE CITY COUNCIL MEETING
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, April 5, 2005, 8:00 p.m.**

Sergeant in January, 2005. Bill is best known for his work with Alcoholic Beverage Control issues working diligently to reduce the availability of alcoholic beverages to the City's youth. He was 37 years old when he died suddenly on Wednesday, March 30, while off duty. He is survived by his wife, Julie, his 7 year-old daughter, Elizabeth, and his 4 year-old son, Tyler.

APPROVED:

Roberta Cooper, Mayor, City of Hayward

ATTEST:

Angelina Reyes, City Clerk, City of Hayward